



House of Representatives

General Assembly

File No. 490

January Session, 2005

Substitute House Bill No. 5754

House of Representatives, April 21, 2005

The Committee on Government Administration and Elections reported through REP. CARUSO of the 126th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT CONCERNING PERSONAL SERVICE AGREEMENTS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 4a-7a of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2005*):

3 (a) As used in this section, "personal service agreement" means a
4 written agreement between the state and an individual for services
5 rendered to the state which are infrequent or unique, except for an
6 agreement between a constituent unit of the state system of higher
7 education and an individual for the provision of instructional services.

8 (b) A personal service agreement between a state agency and an
9 individual shall have a term of not more than one year. Any such
10 personal service agreement may be extended or renewed, for an
11 unlimited term, provided the appropriate collective bargaining
12 representative, the Commissioner of Administrative Services and the

13 joint standing committee of the General Assembly having cognizance
 14 of matters relating to labor and public employees are notified of such
 15 extension or renewal.

16 Sec. 2. (NEW) (*Effective October 1, 2005*) Any individual who enters
 17 into an agreement with a constituent unit of the state system of higher
 18 education for the provision of instructional services, regardless of the
 19 number of hours of instruction provided in such agreement, shall be
 20 subject to the terms of any appropriate collective bargaining
 21 agreement.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2005</i>	4a-7a
Sec. 2	<i>October 1, 2005</i>	New section

Statement of Legislative Commissioners:

Section 2 was created by moving language from section 1 that was more appropriate in its own section since it only applies to agreements with constituent units of higher education and not to personal service agreements as defined in section 1.

LAB *Joint Favorable Subst. C/R*

GAE

GAE *Joint Favorable Subst.-LCO*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

OFA Fiscal Note**State Impact:**

Agency Affected	Fund-Effect	FY 06 \$	FY 07 \$
Constituent Units of Higher Education	GF - Cost	Potential Significant	Potential Significant
Constituent Units of Higher Education	GF - Revenue Loss	Potential Significant	Potential Significant
Comptroller – Fringe Benefits	GF - Cost	Potential Significant	Potential Significant

Note: GF=General Fund

Municipal Impact: None

Explanation

This bill results in a potential significant cost to the constituent units of higher education and the state comptroller as it would have individuals hired under “personal service agreements” for instructional purposes be subject to collective bargaining agreements which could result in higher benefit costs to the units and the state comptroller.

Additionally as the bill does not define instructional services it is assumed that such services would include speakers brought in for education purposes for which revenue is currently generated. The requirement that these speakers now be subject to collective bargaining agreements would likely result in not having such speakers on campus and thus a loss of the revenue generated.

OLR Bill Analysis

sHB 5754

AN ACT CONCERNING PERSONAL SERVICE AGREEMENTS**SUMMARY:**

This bill excludes contracts between class instructors and UConn, the Connecticut State University system, and the state community-technical colleges from the definition of "personal service agreements." Instead it makes such agreements, regardless of the number of instruction hours, subject to the terms of an "appropriate" union contract. Presumably, an appropriate contract is one used for faculty at the college or university the instructor is under contract with.

By law, personal service agreements are written agreements between the state and an individual for infrequent or unique service to the state.

EFFECTIVE DATE: October 1, 2005

COMMITTEE ACTION

Labor and Public Employees Committee

Joint Favorable Substitute Change of Reference

Yea 9 Nay 3

Government Administration and Elections Committee

Joint Favorable Report

Yea 12 Nay 7